

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES INVESTOR PROTECTION
CORPORATION,**

Plaintiff-Applicant,

v.

**BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,**

Defendant.

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

**ORDER REGARDING TRUSTEE'S MOTION TO
DEDESIGNATE CERTAIN DOCUMENTS DESIGNATED AS
CONFIDENTIAL BY ALBOURNE AMERICA LLC**

Upon the motion (ECF Number 9958, the “Motion”)¹ of Irving H. Picard, Esq. (the “Trustee”) as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC and the estate of Bernard L. Madoff, seeking entry of an order, pursuant to the Litigation Protective Order dated June 6, 2011 (ECF No. 4137), and the relevant sections of the United States Bankruptcy Code, 11 U.S.C. § et seq., and Federal Rules of Bankruptcy Procedure referred to therein, dedesignating certain documents designated as confidential by Albourne America LLC (“Albourne”); and it appearing that due and sufficient notice has been provided to those parties indicated in the Motion as set forth in the affidavit of service thereof on file; and Albourne having filed an opposition to the Motion; and the Court having considered the matter with counsel for the Trustee and Albourne in Chambers and then

¹ All capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Motion.

having placed its decision on the record; and after due deliberation; and sufficient cause appearing therefor;

NOW, THEREFORE, IT IS HEREBY ORDERED that,

1. For the reasons set forth on the record, the first two Documents in Exhibit A to the Motion—bearing Bates numbers ALB017690 and ALB018196–ALB018197—(“Documents 1 and 2”) shall hereafter be considered non-confidential for all purposes related to the main adversary proceeding (No. 08-01789) and all related adversary proceedings.
2. Albourne shall re-produce to the Trustee Documents 1 and 2, removing any “confidential” branding.
3. For the reasons set forth on the record, the Motion is denied as to the third Document in Exhibit A to the Motion—bearing Bates numbers ALB018355–ALB018400—(“Document 3”) without prejudice to the Trustee’s right to seek reconsideration in the event the Trustee and Albourne are unable to agree upon a stipulation of fact with respect to Document 3.
4. This Court retains jurisdiction with respect to all matters arising from, or related to, the implementation of this Order.

So Ordered this 10th day of June, 2015.

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE